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In re Application of DRABCZUK
U.S. Application No.: 10/521,228
PCT Application No.: PCT/IB03/02801
Int. Filing Date: 15 July 2003
Priority Date Claimed: 15 July 2002
Attorney Docket No.: 09669/045001
For: USB DEVICE

DECISION

This is in response to applicant's "Request for Corrected Filing Receipt" filed 05 August 2005.

BACKGROUND

On 15 July 2003, applicant filed international application PCT/IB03/02801, which claimed priority of an earlier European Patent Office application filed 15 July 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 22 January 2004. The thirty-month period for paying the basic national fee in the United States expired on 15 January 2005.

On 13 January 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 21 July 2005, the DO/EO/US mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) and an official filing receipt.

On 05 August 2005, applicant filed the present request for corrected filing receipt.

DISCUSSION

A review of the application file reveals that a properly executed oath or declaration has not been submitted. Therefore, the Notification of Acceptance of Application and official filing receipt were sent in error.

CONCLUSION

For the reasons above, the Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) and official filing receipt mailed 21 July 2005 are hereby VACATED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.



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